

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GS HOLISTIC, LLC,

Plaintiff,

v.

MARTIAL INC., et al.,

Defendants.

CASE NO. C23-0395JLR

ORDER

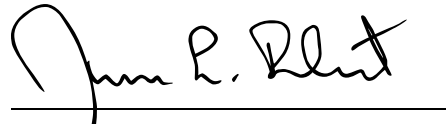
Before the court is Plaintiff GS Holistic, LLC's ("GS Holistic") notice of voluntary dismissal. (12/7/23 Not. (Dkt. # 18).) GS Holistic represents that it voluntarily dismisses its claims against Defendants Martial Inc., Imtiaz Ahmed Mir, and Nasim Choudhry with prejudice. (*Id.*; *see also* 11/21/23 Not. (stating that the parties had settled all claims and were finalizing a settlement agreement).) The court STRIKES GS Holistic's notice of dismissal.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff can voluntarily dismiss an action without a court order by filing either "a notice of dismissal before the

1 opposing party serves either an answer or a motion for summary judgment” or “a
2 stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P.
3 41(a)(1)(A). Otherwise, “an action may be dismissed at the plaintiff’s request only by
4 court order, on terms that the court considers proper.” Fed. R. Civ. P. 41(a)(2).

5 Here, Defendant Nasim Choudhry has appeared in this case and has filed an
6 answer. (*See* Ans. (Dkt. # 9).) As a result, GS Holistic’s notice of dismissal has no
7 effect. Therefore, the court STRIKES the notice of dismissal (Dkt. # 18). If GS Holistic
8 seeks to voluntarily dismiss its case without a court order, it must file a stipulation of
9 dismissal signed by its attorney and Mr. Choudhry. Fed. R. Civ. P. 41(a)(1)(A)(ii). In
10 the alternative, GS Holistic may move the court for an order of dismissal pursuant to
11 Federal Rule of Civil Procedure 41(a)(2).

12 Dated this 8th day of December, 2023.

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15 JAMES L. ROBART
16 United States District Judge
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